

REMARKS/ARGUMENTS

1. In the above referenced Office Action, the Examiner rejected claims 1-3, 10-14, 24-39, 42-44 and 51-55 under 35 USC § 102 (b) as being anticipated by Hylton (U.S. Patent No. 5,708,961); claims 4-5 and 45-46 under 35 USC § 103 (a) as being unpatentable over Hylton (U.S. Patent No. 5,708,961) in view of Mills (U.S. Patent No. 6,311,204); claims 6-7 and 47-48 under 35 USC § 103 (a) as being unpatentable over Hylton (U.S. Patent No. 5,708,961) in view of Mills (U.S. Patent No. 6,311,204) and further in view of Leone (U.S. Patent No. 6,901,153); claims 8-9 and 49-50 under 35 USC § 103 (a) as being unpatentable over Hylton (U.S. Patent No. 5,708,961) in view of Sueyoshi (U.S. Patent No. 6,295,319) claims 15, 40 and 56 under 35 USC § 103 (a) as being unpatentable over Hylton (U.S. Patent No. 5,708,961) in view of Official Notice; and claim 41 under 35 USC § 103 (a) as being unpatentable over Hylton (U.S. Patent No. 5,708,961) in view of Leone (U.S. Patent No. 6,901,153).

Claims 1-15, 34-56 are currently pending in this application. Claims 1, 34 and 42 have been amended. No new matter has been added. Claims 16-33 and 57-74 have been withdrawn. The rejections above have been traversed and, as such, the applicant respectfully requests reconsideration of the allowability of claims 1-15, 34-56.

2. Claim 1 was rejected based on Hylton.

Claim 1, as amended now recites:

"A method for isolating a channel of interest from a set of channels from at least one multimedia source in a multimedia system that

includes a multimedia server that is coupled to the at least one multimedia source, the method comprises:

receiving the set of channels as a stream of data at a client device via a communication path from the multimedia server;"

In particular, claim 1, as amended refers to a client/server configuration where the steps recited are performed in the client device.

In contrast, in rejecting claim 1, the Examiner referenced the operation of controller 19 of shared processing system 10 for the elements of interpreting segments of the stream of data to identify data of the channel of interest and of interpreting the data of the channel of interest to determine type of the data. However, shared processing system 10 is not a client device as set forth in amended claim 1.

For this reason, Applicant respectfully requests that this rejection be withdrawn and believes that claim 1 and claims 2-15 that depend therefrom, are patentably distinct from the prior art.

3. Claim 34 was rejected based on Hylton. In particular, claim 34 has been amended to recite,

"A client module for use in a multimedia system that includes a multimedia server that is coupled to at least one multimedia source, the client module comprises:

network interface controller operably coupled to receive encoded channel data that represents a set of channels via a communication path from the multimedia server, wherein the network interface controller extracts data relating to a channel of interest from the encoded channel data;"

In particular, claim 34, as amended refers to a client device used in a client/server configuration.

In contrast, in rejecting claim 34, the Examiner referenced the operation of processing system 10 for the elements of the invention. However, shared processing system 10 is not a client device as set forth in amended claim 34.

For this reason, Applicant respectfully requests that this rejection be withdrawn and believes that claim 34 and claims 35-41 that depend therefrom, are patentably distinct from the prior art.

4. Claim 42 was rejected based on Hylton. In particular, claim 42 has been amended to recite, "An apparatus for isolating a channel of interest from a set of channels from at least one multimedia source in a multimedia system that includes a multimedia server that is coupled to the at least one multimedia source, the apparatus comprises:

processing module; and

memory operably coupled to the processing module, wherein the memory includes operational instructions that cause the processing module to:

receive the set of channels as a stream of data from the multimedia server via a communication path;"

In particular, claim 42, as amended refers to an apparatus used in a client/server configuration.

In contrast, in rejecting claim 42, the Examiner referenced the operation of controller 19 of processing system 10 for the elements of the invention. However, shared processing system 10 does not receive the set of channels as a stream of data from the multimedia server via a communication path as set forth in amended claim 42.

For this reason, Applicant respectfully requests that this rejection be withdrawn and believes that claim 42 and claims 43-56 that depend therefrom, are patentably distinct from the prior art.

5. In rejecting claims 15, 40 and 56, the Examiner relies upon Official Notice. Applicant respectfully traverses this Official Notice and requests that the Examiner produce documentary prior art to this effect. In particular, Applicant wishes to review such art to determine if the combination with Hylton is proper, that there is a suggestion to combine the references in the manner postulated, that the combination does not teach away from the present invention, etc.

For the foregoing reasons, the applicant believes that claims 1-15, 34-56 are in condition for allowance and respectfully request that they be passed to allowance.

The Examiner is invited to contact the undersigned by telephone or facsimile if the Examiner believes that such a communication would advance the prosecution of the present invention.

A Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.37(b) accompanies this response with a credit card payment form for the associated fee. No additional fees are believed to be due. The Commissioner is authorized to charge any fees that are required or credit any overpayment to Deposit Account No. 50-2126 (VIXS006).

RESPECTFULLY SUBMITTED,

By: /Bruce E. Stuckman reg. 36,693/
Bruce E. Stuckman
Phone: (512) 241-8444
Fax No. (512) 241-8445

CERTIFICATE OF MAILING

37 C.F.R 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Alexandria, Virginia 22313, on the date below:

Date

12/14/2006

Signature

Diane Hudson